

Department of Permits and Development Management
111 West Chesapeake Avenue
Towson, Maryland 21204
Baltimore County, Maryland

In the Matter of

Civil Citation No. 76310

David B. Steinfeldt
Suzanne Marie Steinfeldt

211 Embleton Road

Respondents

FINDINGS OF FACT AND CONCLUSIONS OF LAW
FINAL ORDER OF THE CODE ENFORCEMENT HEARING OFFICER

This matter came before the Baltimore County Code Enforcement Hearing Officer on June 15, 2010 for a Hearing on a citation for violations under the Baltimore County Zoning Regulations (BCZR) section 428, failure to remove untagged vehicle on residential property known as 211 Embleton Road, 21117.

On May 24, 2010, pursuant to § 3-6-205, Baltimore County Code, Inspector David W. Kirby issued a Code Enforcement & Inspections Citation. The citation was sent to the Respondents by 1st class mail to the last known address listed in the Maryland State Tax Assessment files.

The citation proposed a civil penalty of \$ 1,000.00 (one thousand dollars).

The following persons appeared for the Hearing and testified: David B. Steinfeldt and Suzanne Marie Steinfeldt, Respondents; and, David W. Kirby, Baltimore County Code Enforcement Officer.

After proper consideration of all the evidence presented, the Hearing Officer finds:

A. A Correction Notice was issued on April 27, 2010 for removal of untagged/inoperative motor vehicle from this residential property. This Citation was issued on May 24, 2010.

B. Photographs in the file show a blue Chevrolet Silverado pickup truck with no license plates. The pickup is missing its left front tire and is being supported by a jack. The photographs also show what appear to be vehicle parts on the ground directly in front of the vehicle. County zoning regulations prohibit the outside storage of inoperative motor vehicles on a residential lot. BCZR Section 428.1(A). The outside storage of unlicensed motor vehicles is also prohibited, except for one vehicle per dwelling unit for a period not exceeding 15 days in any calendar year. Section 428.1(B). Respondents have exceeded this limitation. Respondents must put valid tags on the vehicle and make it operable, or remove it from the property.

C. Respondent David Steinfeldt testified that he bought the truck for personal use and didn't expect it to need such extensive repairs. He testified that he is repairing the truck himself and is trying to find a replacement front axle to finish the repair. Respondents have been laid off from work and cannot afford to have the repair done by a service garage. He further testified that he expects to have it repaired within two weeks and will then be able to obtain the inspection that is required for licensing. Because compliance is the goal of code enforcement, the civil penalty will be rescinded if the violation is corrected within the time provided below.

IT IS ORDERED by the Code Enforcement Hearing Officer that a civil penalty be imposed in the amount of \$500.00 (five hundred dollars).

IT IS FURTHER ORDERED that the civil penalty will be RESCINDED and reduced to zero dollars if the violation is corrected by July 19, 2010. If the Respondents fail to correct the violation by that date, the civil penalty shall be imposed and placed as a lien upon the property.

IT IS FURTHER ORDERED that the County inspect the property to determine whether the violations have been corrected.

ORDERED this 16th day of June 2010

Signed: ORIGINAL SIGNED
Margaret Z. Ferguson
Baltimore County Hearing Officer

NOTICE TO RESPONDENT: The Respondent is advised that (1) pursuant to §3-6-206(g)(2) of the Baltimore County Code, the Respondent may make written application to the Director of the Department of Permits & Development Management within 10 days to modify or amend this order and (2) pursuant to §3-6-301(a), Baltimore County Code, the Respondent may appeal this order to the Baltimore County Board of Appeals within fifteen (15) days from the date of this order; any such appeal requires the filing of a petition setting forth the grounds for appeal, payment of a filing fee of \$150 and the posting of security to satisfy the penalty assessed.

MZF/ram